

2 NINETY-EIGHTH LEGISLATURE
3 SECOND SESSION
4 LEGISLATIVE RESOLUTION 267

5 Introduced by Aguilar, 35

6 PURPOSE: LB 849 was introduced during the Ninety-eighth
7 Legislature, Second Session, 2004, to guarantee consumers a choice
8 of automotive repair shops for reasonably priced repairs without
9 suffering a financial penalty from their insurer. The bill would
10 have required that an insurer not recommend any particular repair
11 shop unless a referral is requested by the claimant or the claimant
12 has been informed of his or her right to choose his or her own
13 repair shop and would have prohibited an insurer from asking a
14 claimant who has already chosen a repair shop, to select a
15 different repair shop. The bill further provided that any insurer
16 that, by policy, suggests or recommends a motor vehicle be repaired
17 at a particular automotive repair shop shall (a) prominently
18 disclose such contractual provision at the time the insurance is
19 applied for and (b) if the claimant elects a shop of his or her
20 choice, the insurer shall not limit or discount the reasonable
21 repair costs based on charges that would have been incurred had the
22 vehicle been repaired by the insurer's chosen automotive repair
23 shop.

24 The purpose of this study is to examine issues related to
25 LB 849 and related current law.

26 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE

1 NINETY-EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

2 1. That the Banking, Commerce and Insurance Committee of
3 the Legislature shall be designated to conduct an interim study to
4 carry out the purposes of this resolution.

5 2. That the committee shall upon the conclusion of its
6 study make a report of its findings, together with its
7 recommendations, to the Legislative Council or Legislature.